



DEPARTMENT OF HEALTH & HUMAN SERVICES

HFA-305

Food and Drug Administration
Rockville MD 20857

February 23, 2005

The Honorable Jack Kingston
House of Representatives
Washington, D.C. 20515

Dear Mr. Kingston:

Thank you for your letter to Tommy Thompson, former Secretary of the Department of Health and Human Services, concerning a petition to establish the descriptive claims "excellent source," "good source," and "made with" for whole grain content of foods. The Office of the Secretary has asked that I respond to your letter.

You stated that the Food and Drug Administration's approval of the petition would be wholly consistent with the goal of HHS to work towards a healthier America and with FDA's Consumer Health Information for Better Nutrition Initiative. The petition, received on May 11, 2004, is currently under review at FDA's Center for Food Safety and Applied Nutrition.

As you may know, guidelines for increased consumption of whole grain foods have been laid out in the *2000 Dietary Guidelines for Americans* and the U.S. Department of Agriculture's *Food Guide Pyramid*. We remain committed to our goal of making available to consumers more and better information about the health benefits of foods. We appreciate your support and commitment to working with us towards a healthier America. Your letter has been forwarded to FDA's Dockets Management Branch to be included as a comment to the petition (2004P-0223).

Thank you again for contacting us concerning this matter. Please call me if you have any further thoughts or questions.

Sincerely,

Lester M. Crawford, D.V.M., Ph.D.

Acting Commissioner of Food and Drugs

2004P-0223

C14/ANS

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Congress of the United States

House of Representatives

November 17, 2004

Secretary Tommy G. Thompson
Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Re: Docket No. 2004P-0223/CP1

Dear Secretary Thompson:

I am writing to urge the Food and Drug Administration (FDA) to promptly approve a petition currently pending before the FDA that would establish the descriptive claims "excellent source," and "made with" for whole grain content under the Agency's authority to prevent false and misleading food labeling statements (Docket No. 2004P-0223/CP 1). I believe that FDA approval of this petition would be wholly consistent with your stated goal of working towards a healthier America.

As you know, the FDA created the Consumer Health Information for Better Nutrition (CHIBN) Initiative to assist consumers in making wise dietary choices by providing more and better information about conventional foods and dietary supplements that will help prevent disease and improve health. Among its recommendations, the CHIBN Task Force emphasized the need to improve consumers' understanding of health consequences from their dietary choices. It is in the spirit of such recommendation that I write to you today.

Virtually all advice to Americans about improving their diets includes the recommendation to eat more foods that contain whole grains. While studies conclude consumers are receptive to messages about nutrition and health and believe whole grains contain important nutritional qualities, actual consumption of whole grains is well below the recommended daily intake. Consumers remain unclear as to what actually constitutes a "whole grain" product. I believe that this petition would go a long way towards clearing up that confusion.

Further, considering the wide variety of foods that are or could be formulated to contain at least 8 grams of whole grain per serving (e.g., breads, pasta, breakfast cereals, side dishes, main meals and dinners, crackers, snack bars), it is likely that food manufacturers will respond to the availability of these claims by increasing products' whole grain content, thereby creating a greater variety of whole grain products on the market. Adoption of these claims will improve consumer understanding and, most likely, will encourage consumption of whole grain foods.

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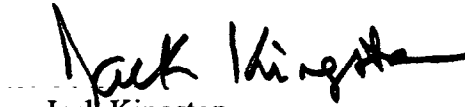
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I am committed to working with your Department and others toward a healthier America- action on this petition is a strong step in that direction. I look forward to hearing from you.

Thank you for your attention to this matter.

Sincerely,


Jack Kingston
Member of Congress

JK:ERH

cc: The Honorable Lester Crawford, DVM Ph.D
Robert E. Brackett, Ph.D

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